

# **EXHIBIT J**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF MICHAEL T. DEMPSEY**

I, MICHAEL T. DEMPSEY, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as **Exhibit A** to this Declaration is a true and correct copy of my birth certificate as proof of citizenship.

3. On September 11, 2001, I was working at Credit Suisse First Boston at 5 World Trade Center when the terrorist attacks on the World Trade Center Towers occurred. I was under the point of impact exiting 4 World Trade Center on the corner of Liberty Street and Greenwich Street when the second plane hit the South Tower and was trampled by the evacuating crowd in the street fleeing from the attacks. I was at NYU Downtown Hospital (Beekman) when Tower 2 collapsed and suffered inhalation injuries and reactive airways dysfunction syndrome (“RADS”) as a result of the the dust and debris that headed toward the Brooklyn Bridge.

4. I was taken to NYU Downtown Hospital on September 11, 2001, where I was treated for a head injury, severe concussion, multiple contusions, internal bleeding, smoke inhalation, and severe respiratory injuries. I was then transferred to Mercy Medical Hospital for further treatment on September 12 and 13, 2001. David L. Kamelhar, MD from New York Pulmonary Associates P.C. stated on November 8, 2001 that he believed with “a reasonable degree of medical certainty that [I] was acutely exposed to significant amounts of material which are likely to be noxious to the upper and lower respiratory tracts . . . the symptoms described (forceful cough, day and night, discomfort in his lower substernal or epigastric region when he eats or drinks, and hoarseness) appear to be predominantly a consequence of upper airway inflammation which has been corroborated by the pulmonary function / spirometric finding.” Henry de Blasi, MD performed an examination including fiberoptic laryngoscopy on November 13, 2001 and found severe edema of the post-cricoid region and redness of the arytenoid cartilages of the throat. I also received psychiatric treatment at St. Vincent’s Hospital related to Post-Traumatic Stress Disorder (“PTSD”) between October 2001 and May 2002. I continue to suffer from the effects of PTSD. Attached as **Exhibit B** to this Declaration are true and correct copies of my medical records related to the treatment I received following the September 11, 2001 terrorist attacks.

5. Following the terrorist attacks on September 11, 2001, I suffered from survivor’s guilt and trauma related to my experiences, as well as PTSD. This was exacerbated by the October 1, 2017 Las Vegas shootings that killed 58 people and injured hundreds more, during which I was outside at the Mandalay Bay Resort during the shooting. Attached as **Exhibit C** to this Declaration are true and correct copies of news articles related to my presence at the World Trade Center on September 11, 2001, and the Mandalay Bay Resort on October 1, 2017. As a result of the Las

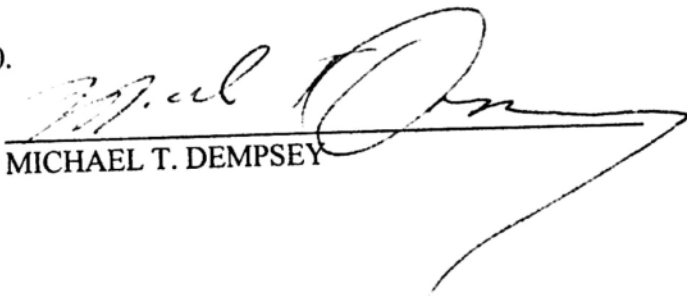
Vegas shooting triggering my PTSD from September 11, 2001, I had to take short term disability for 3 months in early 2018.

6. The effects of the terrorist attacks have provided continuing anxiety and confusion as well as irritability when triggered. I have encountered many challenges in my professional and personal life as a result of the events of 9/11/01. I am a founding Board Member of a September 11<sup>th</sup> family organization (the WTC United Family Group now known as the September 11<sup>th</sup> Education Trust") where I have served to coordinate peer groups amongst other terrorist survivors and family members over the last 18 years.

7. I previously pursued a claim (Claim Number VCF 212-000436) through the September 11<sup>th</sup> Victim Compensation Fund, specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 20th day of January 2020.

  
MICHAEL T. DEMPSEY

# **Exhibits Filed Under Seal**